



1. fw 3724

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of: MARTIN BRADY and ANTHONY V. CRUZ

Serial No.: 09/228,109

Filed: January 11, 1999 Examiner: Jason D. Prone

Docket No.: 0166 Art Unit: 3724

For: HOUSEHOLD KITCHEN OPENING APPLIANCE

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to the Notification mailed May 8, 2008,
submitted herewith is a new Claims Appendix which comprises a
correct copy of the appealed claims.

For the record, undersigned counsel discussed this matter
with Darlene Brown, Patent Appeal Center Specialist, on May 16,
2008, to compare the Claims Appendix accompanying the Appellants'
Brief as filed with counsel's file copy. Ms. Brown's assistance
is appreciated.

Respectfully submitted,

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450

By MARILYN GIBAS
Marilyn Gibas
Date May 16, 2008

Roger S. Dybvig
Roger S. Dybvig
Registration No. 19,319
22 Green Street
Dayton, Ohio 45402
(937) 461-1142

VIII. CLAIMS APPENDIX

3. A household opening appliance comprising an electric can opener having a housing, a jar opener mounted on a bottom wall of said housing, a sheath for a scissors, and a scissors holder within said sheath.

7. A household opening appliance comprising an electric can opener having a housing, a sheath for a scissors on a back of said housing, and a scissors holder within said sheath.

10. A household opening appliance comprising an electric can opener having a housing and a scissors holder on said housing capable of releasably retaining a scissors on said housing.

11. The appliance of claim 10 further comprising a sheath for a scissors on said housing.

12. The appliance of claim 10 further comprising a jar opener mounted on the bottom wall of said housing.

13. The appliance of claim 12 further comprising a sheath on said housing for a scissors.